

On Tuesday, June 6, 2006, employee Eddie Morales, under direct supervision from Cliff Gomes (Arts Brewery Superintendent and manager of on-site labor) improperly handled an asbestos wrapped pipe. Eddie Morales was hired to provide welding services for Ethan Construction, Eddie's primary objective on June 6, 2006, was to ascertain what materials he needed to began tank removal work in building 23 level 200. Eddie was instructed by Joseph Jackson (Arts Brewery Senior Project Manager), upon completing the task to report to Cliff Gomes. Cliff was instructed by Joseph to fulfill Eddie's list and prepare the building for the welding activity.

During this instruction Cliff (b) (6)

Cliff has made many comments regarding his feelings and desires to utilize Dave Wilcox of D & J Custom Metal Fabrication, to complete the tank removal in building 23, level 200. Cliff has been informed repeatedly that Dave Wilcox is a very expensive sub-contractor and will be utilized on other activities. Cliff has disregarded on many occasions instruction from senior management regarding the uses of Dave Wilcox.

Cliff having prior knowledge of the Asbestos wrapped pipe, endangered employee Eddie Morales and did not report the incident to senior management. Discovered by Joseph Approximately around 3:30 p.m., Cliff was instructed to contact Hector at PDG to have the Asbestos removed from the courtyard.

On the morning of Wednesday, June 7, 2006, Conan Gale notified Joseph that the Asbestos was not removed. Around 8:00 A.M., Joseph telephoned Hector to have the Asbestos removed from the courtyard. Hector advised that we should cover the asbestos with plastic and lay sandbags around the asbestos. Hector was scheduled to come out around 5:30 to completely remove the Asbestos from the court yard location.

Approximately 7:15 A. M., Thursday, June 8, 2006, Conan Gale notified Joseph that the Asbestos was not removed. Joseph then telephoned Hector to find out why the Asbestos was not removed, Hector's response was that his crews were unavailable and he would be on-site at 1:30 P.M...